

THE TRIBUNE.

NEW-YORK, SATURDAY MORNING, MAY 1.

To Correspondents.—The favors of "Truth," "G," and several other friends are gratefully received, and their suggestions will do us good service.

"Equality's" article shall appear soon, with remarks.

Each of our subscribers who will change his place of residence on or about the 1st of May, is earnestly requested to give immediate notice of the fact to this office, stating the street and number from which as well as to which he is removed. All who take this trouble shall be served almost infallibly.

For City Intelligence and Arrivals at the Hotels, see last page.

We ask of our readers a candid consideration of the DEFENSE OF THE PROTECTIVE SYSTEM which appears on the first page of this paper, as well as of the argument which preceded it on the opposite side of the question. The subject is one of the very highest National importance.

We have made room in this paper, at some sacrifice of convenience, for the able and lucid Report of Hon. JOHN M. HOLLEY to the Assembly on the Public Works, Finance and Improvement Policy of the State of New-York. We entreat for its facts and arguments the careful and earnest attention of every reader. Its positions ought to be perfectly familiar at least to every Whig, and if possible to every citizen. No document ever issued has more clearly shown by whom the State was involved in debt and embarrassments, why and how far she is so embarrassed, and what course should be taken to surmount all her difficulties without a sacrifice of her interests or a violation of her faith. Again we urge that it be earnestly read and calmly considered. We have no room to say more.

The President's Steamship.—There is nothing to relieve the general anxiety with regard to the fate of the steamship President. The attempt to show that she was spoken off the Banks on the 20th of March proves a failure: if any steamship was seen there, it was probably the Britannia.

Capt. Scott of the barque *Fame* from Smyrna was at Fayal on the 3d and 4th of April, and has arrived at Provincetown, Mass. whence a letter from him has been received at Boston, which makes no mention of the President—but that does not positively prove that he had not seen or heard of her. We shall probably know to-day.

We shall have ten days later news from England by Friday, via Cunard's line to Boston. If that does not bring tidings of the President, there will be a poor look for her.

Mr. Biddle's Sixth Letter professes to tell a "very strange and true history about the Investigating Committee." The substance of it is contained in the opening paragraphs which we therefore quote:

"At the close of their report, they say: 'It must be also mentioned that among the expenditures of the Bank there is entered at various dates, commencing May 5th, 1836, sums amounting in all to \$618,640 15, as paid on the receipts of Mr. N. Biddle and J. C. Cowperthwaite and Cashier's Vouchers.'—As the Committee were unable to obtain satisfactory information upon the subject of these expenses from the books or officers of the Bank—application was made by letter to Mr. N. Biddle and Mr. J. C. Cowperthwaite, from whom no reply has been received."

On reading this no one could fail to understand that here were \$618,000 dollars, which I had obtained from the Bank, and on being questioned about it had declined giving any answer, from which the natural inference was, that these funds were never accounted for. This is evidently what the Committee intended to be understood—this is what every body does not understand.

Now what I am about to say is so incredible that I would not say it unless I could clearly prove it.—It is:

First, That at the moment of charging me with these \$618,000 dollars, the Committee knew perfectly well, that nearly three hundred thousand dollars of that sum, had been expended since I left the Bank—and

Second, That the remainder had been regularly passed by the Board of Directors on the report of a Committee of which the Chairman, Joshua Linnecott, Chairman of this very Committee of Investigation.

He proceeds to prove this by quoting from the official correspondence of the Bank and from his minutes.

The crew of the Malek Adhel were discharged on the 24th ult. by Chief Justice Taney from jail at Baltimore, where they have been confined for some time on a charge of piracy. It appeared that the Captain, who escaped at Bahia, was alone guilty, and that the seizure of the vessel was owing to information given voluntarily by the crew. A libel, however, was filed by the District Attorney against the Adhel, and the crew were detained as witnesses concerning the matter contained in it. A claim has been put in by Messrs. Harmony, of this city, and it is understood the seamen will set up a claim for capture and wages.

The Cleveland Herald of the 17th states that another piece of land, east of Erie-st. in that city, has taken a slide into the lake. Five or six slides of a similar kind, it is said, have occurred there within two or three years, some of which have encroached considerably on the front part of the town plat.

An attempt was made to rob a clothing store in Philadelphia on Wednesday night. The villains succeeded in boring through the window-shutter with an auger when they were alarmed by the cries of the clerk who was within; they forthwith decamped leaving behind two augers which they had doubtless stolen.

The U. S. Circuit Court has been sweating two days over the case of "Rochus Heisiesch vs. John Leonard and Herman Wendi," involving the infringement of a patent right for an improved fashion of Tailors' Shears. The jury at length got hold of the case on Thursday, and gave a verdict for the plaintiff—damages, six cents!

A Canal-boat from Troy was drawn over the Cañoes by the swollen current of the Mohawk on Wednesday, and one of the men in it drowned. On Thursday a scow with nine men in it which was attempting to rescue a colored man from a perilous condition was swept over the same Falls. The men saved their lives.

J. W. Peterson, a young man in the employ of the Camden N. J. Bank, has been found recently to be a defaulter to the amount of \$13,000. His business was to convey to Philadelphia money necessary to the redemption of the notes of the Camden Bank at their office in Philadelphia.

The U. S. Gazette of yesterday contains the discourse pronounced by the Rev. Dr. Bethune on the occasion of the late President's funeral solemnities in Philadelphia. It is brief and contains passages of great beauty and eloquence.

Sophia Harris, a colored woman, convicted in Baltimore of having killed her own sister, a little girl of twelve years of age, was sentenced on the 23rd ult. to fifteen years' imprisonment in the penitentiary.

The Relief and Improvement Bill now pending in the Legislature of Pennsylvania, has been modified by a Committee of Conference so as to be more favorable to the U. S. Bank.

Hon. DANIEL WEBSTER arrived in this city yesterday from Washington.

Mr. Esq. has returned from his scientific tour in Europe, and is now in Philadelphia.

The Public Works and the Finance.

IN ASSEMBLY, April 24, 1841.

Report of the Committee of Ways and Means, on a motion of the Governor's Message as relates to the Debt, Revenue and Expenditures of the State, etc.

Mr. HOLLEY, from the Committee of Ways and Means, to which was referred so much of the Governor's Message as relates to the debt, revenues and expenditures of the State; also, the annual message of the Comptroller, and the engrossed bill from the Senate entitled "An Act to provide funds for carrying on the public works now in progress,"

REPORTS: That at an earlier period of the session the Committee had supposed that all the information necessary to enable the House to act upon the subjects so referred was contained in the Reports of the Canal Commissioners, the Commissioners of the Canal Fund, and of the Comptroller, and other reports and documents before the Legislature; but from some events which have since occurred, calculated to produce anxiety in regard to the financial condition of the State, the Committee have concluded to submit some considerations to the House on those subjects, in the hope of promoting unanimity and confidence among our fellow citizens in relation to our great works of Internal Improvement.

The expenses of the Enlargement of the Erie Canal, according to the corrected estimate, will be \$23,204,931. Of that amount there has been expended the sum of \$9,726,250. The estimated cost of the Genesee Valley Canal is \$4,688,050, of which the sum of \$2,452,500 has been already paid. The estimated expense of the construction of the Black River Canal is \$2,387,374, and there has been paid on account of that Canal \$1,317,597. The amount of public credit pledged to the New-York and Erie Railroad Company was \$3,000,000, of which stock to the amount of \$1,500,000 has already been issued. The aggregate sum required from the Treasury to carry into effect all these enterprises, as ascertained from acts heretofore passed and from the corrected estimate of the Canal Commissioners, was \$33,260,355. Of that amount the sum of \$13,596,347 has been already expended, leaving to be raised for those works the further sum of \$19,664,008.

All these undertakings were commenced under a previous Administration. Of the sums expended in their prosecution, \$10,644,347 were paid under laws passed during the same Administration. The whole debt of the State is \$14,905,376. Of this sum \$2,250,000 were authorized by the last Legislature, and all the residue, with the exception of \$59,000, borrowed for the improvement of the Oneida River, by Legislatures within the period before referred to. With the exception of about \$160,000, the whole sum of \$12,496,347, expended on the Enlargement of the Erie Canal, and in the construction of the Genesee Valley and Black River Canals, has been expended in the performance of contracts made by the predecessors of the present Commissioners. There are now existing contracts requiring for their fulfillment the payment by the State previously to June 1, 1843, of the sum of \$4,102,455. Of this amount, only the sum of \$435,930 is payable upon contracts made by the present Canal Commissioners. The sum of \$3,774,121 will be required to comply with existing contracts, which will expire prior to April 15, 1842; the sum of \$2,309,379, to fulfill further contracts expiring previously to April 15, 1843, and the sum of \$27,925 on further contracts, which will expire before June 1, 1843. No new work except the improvement of the Oneida River, at an estimated expense of \$75,000, and the purchase of the Oneida Lake Canal and feeder for \$50,000, has been undertaken during the present Administration. When all the existing contracts shall have been performed, only about three-fifths of the construction of the Public Works undertaken under the previous Administration will have been completed.

These references to a former period, are not made with a view to raise any questions concerning the expediency of all or any of the public works, but with a view to illustrate more clearly the policy which has been heretofore pursued, and that which seems to be indicated for the future. Since the discovery that mistakes and misrepresentations were made by our predecessors, to the amount of about fifteen millions in their estimates of the cost of the Public Works, and since our experience of the revolutions of commerce and the prostration of credit throughout the Union, all agree that it would have been well if a more limited scale, or a more cautious progression in the prosecution of Public Works had been adopted by our predecessors. Yet there are very few persons who affect to have at that time foreseen the present condition of the country.

Such, however, as has been stated, were the undertakings in which the State was engaged, and the rate of progress established, when its interests were committed to the hands of those by whom they are now conducted. It was soon discovered that new and extraordinary difficulties were to be encountered, in the disastrous condition of commercial affairs, and that the estimates made of the sums to be provided, fell short almost one-half of the actual cost of the works which had been commenced. After a full consideration of these circumstances, and after a careful examination into the fiscal condition of the State, it was announced that with retrenchment and retardation the Public Works might yet be completed; and that although the awakened expectations of our fellow citizens in various parts of the State, in regard to these and projected improvements must necessarily be delayed, they need not be ultimately disappointed.

Fully convinced of the ultimate ability of the State to prosecute its present system of improvements to a successful result in due time, and to answer the just expectations of all portions of the State, it is important, nevertheless, to notice such circumstances and events of recent occurrence as ought to be known and considered in determining the action of the present Legislature.

The policy of borrowing money to carry on our Public Works, relying on their surplus revenues, when completed, to reimburse the principal and interest of the loans, is coeval with our system of improvements, and we are indebted to that policy for all the benefits we are now reaping from the adoption of that system. Until very recently, most of the funds required have been obtained at a rate of interest not exceeding 5 per cent. By the daily quotations of the stock markets at home and abroad, it is certain that money cannot now be obtained without an advance upon that rate; nor is it probable that the rate of interest will be reduced until the action of Congress upon fiscal subjects at the Special Session, which has been called, shall be known.

Since the 25th of January last, the market value of five per cent. stocks of this State, redeemable at a period from fifteen to twenty years distant has ranged from eighty-one to ninety-one per cent. The latest quotation was at eighty-three. If money should be now borrowed, the rate of interest upon a stock having the same period to run, would, according to this standard, and in order to obtain par for the stock, be at five per cent. and five eighths to five per cent. and three quarters. An addition of three quarters of one per cent. per annum to the interest upon a million of dollars, would amount in twenty years to one hundred and fifty thousand, and upon seventeen millions of dollars to two millions five hundred and fifty thousand dollars. The importance of procuring loans at low rates of interest, is therefore evident, since the ability of the State to carry on its system is diminished in proportion as the amounts paid for interest are increased. Although the rate of interest is not subject to our control, it may be affected by our action. It is certainly not to be reduced by offering higher rates from time to time. Indeed the offer of a large amount of stocks at high rates would operate very injuriously.

The borrower who is found soliciting large sums in a season of commercial panic, and offering enormous interest, is sure speedily to destroy his credit, however sound. Each new concession only tends to increase the next exaction. The principles which govern commerce are inexorable, and neither individuals nor States have any exemption from them. These views show the importance of a restricted use of the State credit in such emergencies. It may not be unprofitable to consider the nature of that credit, its present condition and prospects.

There is seldom a surplus of domestic capital in our new and enterprising country. Nearly all the money ever borrowed upon our State stocks, was obtained directly or indirectly from Europe. Capitalists loan money to States and Nations, because such loans are regarded as the safest and most convenient form for large investments. The hazards and delays of frequent investments are avoided, punctuality in the payment of interest is expected, while, by reason of the convenience of the transfer of stocks, and the confidence generally reposed in the public faith pledged for their redemption, it is always easy to realize the amount invested.

New-York, in undertaking her system of internal improvements, entered the markets of Europe in competition with sovereign States of both continents. Her security is equal to that which any other State or Nation can offer. She has more wealth and resources, and a greater surplus revenue in proportion to the debt she owes, than any Nation in Europe, or any State on this Continent. Although New-York pays five per cent. interest, and Great Britain three, and three and a half, yet the assessed value of property in New-York is seven hundred millions of dollars, and her debt fifteen millions, while Great Britain, with a debt of nearly four

thousand millions of dollars, has aggregate wealth of probably not more than ten times that sum.

The hazards of war and civil commotion enter into the calculations of the lender, and affect the rate of interest. No country has more stable government or surer grounds to expect permanent peace than New-York. None, in proportion to its extent, has greater resources or more active energy in developing them. None has a sinking fund so sure and undeveloped. None has the constantly augmenting revenues of our canals, falling as the constantly augmenting revenues of our canals. Other Governments borrow money to pay previous loans, to defray ordinary expenses of Government, or to carry on wars destructive of the ability to reimburse the loans contracted. This State borrows only to increase and improve her sources of revenue. European States borrow without expecting to repay the principal except by renewed loans. This State limits her debts by a rule which contemplates the reimbursement of the principal at the end of twenty years. The credit of Governments, however, like that of individuals, has always a gradual, and sometimes an unequal growth. The newness of our existence, the supposed instability of our institutions, the ignorance of capitalists concerning us, and the prejudice of Europeans against us, have caused the rate of interest on our stocks to be higher than that upon the debts of European Governments. Nevertheless, as experience of twenty-five years has shown that five per cent. is as high a rate as it has yet been necessary to pay, in a tranquil and ordinary condition of commercial affairs.

An allusion to the cause of the depression of our stocks will serve to convince us that that depression must be temporary. The interest upon all our stock has always been punctually paid. Every dollar of the principal of our debts that has fallen due has been promptly reimbursed, and we are now redeeming at par, stocks that have not yet reached maturity. Without any resort to any direct taxation, we have an annual surplus revenue of half a million of dollars. It cannot be possible, therefore, that the depreciation of our stocks results from any unsoundness in our fiscal condition, as the committee endeavored to show, in the former part of this report, that it could in no degree be owing to the policy now pursued.

The supply of capital seeking investment in American securities is, like every other supply in trade, limited. The stocks of our sister States have been pressed into market with higher rates of interest than New-York has thought wise to offer. These States, having perpetuity and sovereignty as well as our own, their stocks have been supposed as safe investments as ours, while the higher interest seemed to insure great profit. Missouri issues stocks bearing an interest of ten per cent. An investment in her stocks yields, without compounding interest, a return equal to one hundred per cent. on the whole sum loaned, in ten years. An investment in our stocks yields, in the same period, on the same principles of calculation, only fifty per cent.

The stocks of all the States have been forced into market in unusual quantities, and at great sacrifice, during a long season of commercial embarrassment. Approbations are indulged in, regard to several of the States, that the interest on their debts cannot be paid without a resort to taxation, and some have already partially resorted to this mode. The perfectly popular structure of our State Governments has been referred to as furnishing grounds for supposing that taxes will not be borne; and hence, that the American States may not have the stern virtue to be just, and preserve their public faith. In consequence of these and other causes, the stocks of several of the States have been sinking for the last two years. We have recently witnessed some of the effects of this depreciation, in the losses suffered on the stocks here received as securities under the act authorizing free banking. The evil has not been mitigated by the tone and temper manifested toward State credit by the former Executive department of the Union, and in the Senate of the United States; while the Federal Government has increased the embarrassment of the times by becoming itself a borrower to large amounts in the domestic market. The apprehensions of a collision with Great Britain, growing out of the unsettled state of our relations with her, have not been harmless to the credit of the State. Under these circumstances, the stocks of all the States have depreciated. Illinois 6 per cents, are sold at 48, Indiana 5 per cents, at 53, Arkansas 6 per cents, at 70, Ohio 6 per cents, at 90, and Pennsylvania 5 per cents, at 80. It is as not to be doubted, Illinois 6 per cents, shall ultimately be redeemed, an investment in them is as safe as in our own. One hundred thousand dollars thus invested will bring a return of two hundred thousand, with interest until redemption, at 6 per cent. It is not surprising, therefore, that stocks so greatly depreciated find a more ready sale than our own.

Very imperfect knowledge is had in European Cities of the comparative wealth, resources and fiscal condition of the several States; and consequently no careful discrimination is made among them. Our credit, and that of the other rich and long established States, has heretofore aided the credit of those which were new and less prosperous, and now ours is slightly affected by their embarrassments. Under these circumstances, moderation and economy are urged upon us equally by public sentiment, by a just regard to the public interest, and by a desire to render our system of improvements complete and comprehensive. While we should steadily persevere in the prosecution of the system, we are undoubtedly called upon to limit the issue of our stocks as much as possible, during the present year. Our sister States will, it is confidently hoped, by generous efforts, aided by a wise and paternal policy on the part of the Federal Government, soon retrieve their credit. Their energies are only temporarily suspended, and by no means paralyzed. The indications of a change of policy, are cheering and satisfactory. But if this expectation, which every lover of our common country must indulge, should fail, a discrimination must then take place between our stocks and those of our sister States; and, as far as our credit is concerned, will be the same. Probably another year will disclose with certainty one or the other of these results, and it will then be apparent, either that rate of interest on our State stocks will return to a former standard, or that, as some suppose, there is a permanent advance in the rates upon all public securities, warranting an increase in the rate upon our own.

The committee apprehend little dissent from these views, so far as the undertaking of new works and the construction of new portions of the canal is concerned. But the question remains, what course shall be adopted in regard to the sum \$6,102,455 required to fulfill existing contracts? There are those who would advise a suspension of the public works. Before such a decision shall be made, all the probable consequences ought to be considered. The public faith is pledged to our citizens; they have invested capital and pledged their credit to a very large amount in materials, machinery and implements, and labor to perform their contracts; they have their arrangements with subordinate contractors, and these arrangements have others, and thus a very large number of persons are relying upon the faith of the State.

The abrupt suspension of the public works would bring new and unapprehended evils upon a community deeply suffering from pecuniary embarrassments. Provision must be made to indemnify the damages to those who have contracted directly with the State. The sum required for this purpose would far exceed the additional five-eighths or three-fourths of one per cent. which the State would expend in obtaining the requisite funds at the present rate. But the damages thus paid, even if they were promptly discharged, would fall to reach thousands of individuals and families, who, although unknown to the State, would be plunged into distress by a failure of their accustomed occupation and means of support. Beside all this, the unfinished portion of the public works left exposed to the accidents of the seasons, would become dilapidated, and the ultimate injury to the revenues of the State from this cause cannot be estimated. This spectacle of dilapidated works, of discontent and of suffering, would be as melancholy as it is unnecessary. A depreciation of labor, productions and property, must ensue from so sudden and unlooked for a contraction of business, while injuries of even a more serious character would result, affecting the value of all property in the vicinity of the public works abandoned. The policy of the State would no longer be known or understood. No such sudden change of policy ever occurs without serious injury to the public welfare and the permanent interests of the State, and years would be required to repair the injury thus produced. When these evils should be felt, it may be reasonably doubted whether it would be a sufficient excuse to the people, that our predecessors contracted for too large a plan or too rapid a prosecution of our enterprises, and it certainly would not be a satisfactory answer, that the rate of interest upon money had advanced five-eighths or three-quarters of one per cent. beyond what was expected when the works were undertaken.

In view of the whole subject, it seems expedient and even necessary that provision should be made to complete existing contracts. But a careful regard for our permanent credit requires that the amount appropriated during the present year should be no greater than is absolutely necessary to preserve the Canals and avert injury to the State, or to those engaged in the performance of contracts. The Committee believe, after much consideration of the subject, that the amount appropriated by the bill from the Senate may be reduced to \$3,000,000, of which sum \$2,150,000 should be apportioned to the Erie Enlargement, \$550,000 to the Genesee Valley

Canal, and \$300,000 to the Black River Canal. Though this reduction may occasion considerable inconvenience, and perhaps prove too small for the absolute emergencies of the works in progress, yet if there should be any error on such a subject, in such times as these, it is better that it should be on the side of caution and economy.

The next Legislature will have the advantage of knowing the settled and permanent condition of financial affairs in the country. Existing contracts will then be nearly completed. The State will be so nearly disencumbered of previous engagements that the Legislature will have the whole system once more under its control, and its measures may be adapted to the actual condition of things, without being trammelled by the question of violation of contracts, of damages to contractors, and of dilapidations of unfinished portions of the works. It prudence shall then still require a retardation in our progress, or a modification of the system, the Legislature will be at liberty to adopt a corresponding policy. But if, on the contrary, it shall then appear, as all must hope it will, that the fiscal condition of the State is sound, that its surplus revenues exhibit a steady augmentation, so as to warrant increased expenditures, the Legislature will find no embarrassment in adopting measures for further progress.

Considerations both of prudence and justice seem to require that the same principles be extended to the New-York and Erie Railroad Company, and the Committee recommend that suitable restrictions be imposed as to the amount of stock to be issued to that company during the present year; that the rate of interest upon the stock to be loaned to it be the same as upon that issued for the Canals, and that the Company be required to restrict its operations in such a proportion as shall be necessary to conform to the restricted policy pursued in regard to the Canals.

The particulars in relation to the debt of the State, its revenues and expenditures, and the condition of the Public Works, have been so fully stated in the reports referred to the Committee, and especially in a very lucid and satisfactory report made by the financial committee of the Senate, that we cannot hope to shed any new light upon those subjects.

New York Legislature.

In the SENATE, on Thursday, Mr. Strong moved a reconsideration of the vote rejecting the bill for the more equal distribution of the Literature Fund. After a short debate the vote was negative—Ayes, 11; Noes, 17.

A large number of private bills were reported by the different Committees, and several acted upon, after which the Senate adjourned.

In the ASSEMBLY, a bill was reported complete to incorporate the Shamrock Benevolent Society. Doubts being raised as to its proper disposition, it was referred to the Committee of the Whole.

The bill to divide the County of Genesee and erect the County of Wyoming, was passed by a vote of 69 to 24.

The bill to incorporate the Allaire Works passed, 95 to 9.

A motion for the reconsideration of the vote rejecting the bill to incorporate the American Tract Society was made and sustained, but before the question was taken on the final passage of the bill the House adjourned.

From the Sun of Yesterday.

The indictment against certain editors for having said that Thurlow Weed had mutilated the body of Timothy Munroe, and then palmed it off on the public as that of William Morgan, has been settled by the District Attorney entering a "nolle prosequi." This action has been pending for about twelve years.

Comments on the above.

The reader who understands the character of *The Sun* will not be surprised at the appearance of the above paragraph, though any other fair-minded man acquainted with the facts of the case could hardly fail to be. There is no direct falsehood in the words, yet the impression they give is as contrary to truth as positive falsehood could make it. The facts in this case are simply these:

Over twelve years ago, Thurlow Weed, then Editor of an Anti-Masonic paper at Rochester, was charged by the antagonist paper at that place with mutilating the body of Timothy Munroe in order to pass it off for that of William Morgan. The charge was made in the midst of an excited and ferocious party contest, and was founded on an ironical remark made to one of the libelers by Mr. Weed himself, which was perfectly understood at the time not to be serious. Mr. Weed had been out to Oak Orchard to see a body cast ashore there by the action of the water, and believed to be that of William Morgan. He was met and accosted on his return by the rival Editor, O'Reilly, with "Well, Weed, have you manufactured that body into Morgan's?" "I guess," was Mr. Weed's reply, in the same bantering spirit, "you will find it a good enough Morgan till after Election." This casual repartee, perfectly understood at the moment, was made the basis, as it is the only basis, of a serious charge against Mr. Weed that he had mutilated a dead body for political purposes! The libel was caught up by the press of the opposite party, borne over the Union, reiterated, worked over, until thousands of otherwise intelligent citizens really believe to this day that Mr. Weed actually did what was charged upon him!

The original libelers were indicted by the Grand Jury of Monroe County; but the Judges and District Attorneys were their political allies, and it was found impossible to bring them to trial. The witnesses on the part of the prosecution were several times collected at much cost and pains, but the defendants found means to avoid coming to issue on one pretext or another. Finally, Mr. Weed having removed to Albany, wearied with fruitless and expensive efforts to bring on a trial, and seeing no prospect of being able to effect it, desisted from any further personal interference with the prosecution—which being of course commenced on behalf of the People, it was the duty of the District Attorney to urge forward.

But at length the matter is in the hands of a District Attorney who is ready to do his duty, and the case was actually brought before the Court at its late term. Mr. Weed and the witnesses for the prosecution are on hand, and he naturally anxious to finish the business thoroughly. The defendants have had abundant notice that they are expected to make good their charge, or suffer the penalty of the law. But how do they answer? By an affidavit stating that so long a time has elapsed since the alleged offence was committed that their witnesses are dead or scattered over the country, precluding all hope of substantiating their charges—wherefore they pray that the case be dismissed. The District Attorney resists this motion, but a majority (Loco-Foco) of the Judges sustain the plea of the libelers, and order him to enter a *nol. pros.* which he is of course compelled to do. Thus by an extraordinary and high-handed exercise of judicial power is the prosecution quashed, solely on the ground that so long a time has elapsed since the offence was committed; yet this is made to appear in *The Sun* as though the District Attorney had voluntarily abandoned the prosecution for want of evidence to sustain it! Such is the habitual treatment of the prominent men as well as the measures of the Whig party in the columns of that paper.

One other illustration: Two or three days since, the Editor of *The Sun* saw fit to incorporate into one of his own leading articles the substance and much of the language of an article from Mr. Weed's pen in favor of the exemption of Household Property from seizure on Execution or for Rent. The *Sun* man wanted the article, and he took it; but he could not bear to have his readers know that sentiments so reasonable, liberal and humane had their origin in the Whig State Paper, and instead of crediting them to the Albany Evening Journal, he barely spoke of them as the remarks of "a contemporary." Could any thing be more despicable?

Was there not formerly a state of the elements known as sunshine or fair weather? We have a faint recollection of such, about as vivid as Pythagoras' remembrance of his former state of being. Who knows but it may come round again?

By this Morning's Southern Rail.

FROM VIRGINIA.

Last night's Mail brings us two days' advices from Richmond, and gives us nine Whigs and seven Loco-Foco Democrats not before announced, being twenty-one Delegates in hear from. Five Whigs will tie the House, six will give a majority: it is an even chance that we got them.

It is given up that we have 17 to 15, if not to 16 to 14 in the Senate; so instructions to Senators Archer and Rhea are out of the question. We are pretty safe for Governor, &c. in Joint Ballot.

We gain Montgomery by this Mail; but this is balanced by the loss in Accomac, where Gen. Bayly is re-elected and Adiworth with him—both Loco-Focos under false colors. This in the face of 400 Whig majority!

Mr. Whitworth (Whig) contests the return of Vaughan (Loco) from Dinwiddie.

The election to Congress of A. H. H. STUART, Whig, is assured. He has 10 majority in Montgomery, and is beaten but 90 in Roanoke.

Hon. JOHN TALLAFERRO's majority is 164.

It is reported that Luan Banks and Wm. Smith (Loco) are exactly tied, in the Spotsylvania District.

Nothing from the two South-Western Congress Districts: 10 Whigs, 8 Locos and R. M. T. Hunter elected; two Districts to hear from: probably Loco, but not certain.

We subjoin our corrected tables.

DELEGATES ELECTED.	
County.	Whig.
Albemarle	2
Amherst	2
Augusta	2
Bath (gain)	1
Bedford	2
Berkeley	2
Campbell	2
Chas. City and New Kent	1
Charlotte	1
Culpeper	1
Cumberland	1
Elizabeth and Warwick	1
Essex	1
Fairfax (gain)	1
Fauquier	1
Fayette and Nichols	1
Fluvanna	1
Franklin	1
Glenostee	1
Goochland	1
Greene	1
Hampsire	1
Hanover	1
Hardy	1
Henrico	1
Henry	1
James City, &c.	1
Jefferson	1
Kanawha	1
King George	1
Lancaster and Richmond	1
London	1
Monroe (gain)	1
Montgomery (gain)	1
Morgan	1
Nassau	1
Norfolk County	1
Do Borough	1
Northampton	1
Ohio	1
Pittsylvania	1
Prince Anne	1
Rappahannock	1
Richmond City	1
Rockbridge	1
Southampton (gain)	1
Spotsylvania	1
Stafford (gain)	1
Westmoreland	1
Total (so far)	62

Correspondence of The Tribune.

FINGERS, Va. April 24.

The following is the result of the election in this (Deer) County, viz:

Congress... A. H. H. Stuart, W. 300 J. McDowell... Op. 281
Delegates... Shanks... " 323 " Robinson... " 450
LIBERTY, Bedford Co. Va.

The vote of this County is as follows:
Congress... W. L. Goggin... W. 569 A. Stuart... Op. 281
Delegates... G. A. Wingfield... 545 Matthew Pate... " 294
" T. P. Mitchell... 548 Meriwether... " 278
Members of the last House.

Madame Restell.—It has been stated in the journals generally that this wretched woman has been indicted for manslaughter. This we are informed is a mistake; she is only on trial for a misdemeanor, and the only punishment that can be inflicted upon her if found guilty, is a fine of \$1,000 and imprisonment in the City prison for one year. What effect the death of her victim, Mrs. Purdy, will have on her case we are not aware. We understand that with the aid of her coadjutors, the *Sun* and *Herald*, she has made some \$20,000 by her horrid trade. This will undoubtedly go far towards securing her acquittal.